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17 June 2024

Hon. George B. Daniels  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States District Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, Case No. 03-md-01570

Dear Judge Daniels:

On behalf of my clients Broward Bulldog, Inc., Anthony Summers (“Summers”), and Robbyn Swan (“Swan”) (collectively “Intervenors”), I respectfully submit this letter motion to join the letter motion of the New York Times Company (“the Times”) to intervene and unseal court records.<sup>1</sup> (Ltr. Mot., Dkt. #10067 (filed July 8, 2024).) The Times consents to this Motion.

I have good cause to file this Motion. Broward Bulldog, Inc., is the corporate publisher of the *Florida Bulldog*, a non-profit watchdog news site, formerly known as the *Broward Bulldog*. Anthony Summers and Robbyn Swan are the authors of *The Eleventh Day: The Full Story of 9/11*, which was a Finalist for the Pulitzer Prize for History in 2012. Together, Intervenors have been reporting on developments related to 9/11 since 2008, and Summers and Swan are currently researching a second book about the attacks.

Intervenors do not intend to make additional legal arguments in support of unsealing at this time and wholly endorse the arguments made by the Times and subsequent media outlets in support of the Times’s motion. At this juncture, they simply seek to join the Times motion so that they may be in a position to provide their expertise and resources to the Court at a future date when it might become appropriate. Intervenors have amassed a significant amount of information about 9/11 over the past sixteen years and have conducted a significant amount of specialized analysis of the information they have collected. The *Florida Bulldog* has successfully litigated two Freedom of Information Act cases in the Southern District of Florida and was the first media outlet to obtain records about Operation Encore—the Federal Bureau of Investigation’s (“FBI”) secret follow-up investigation into suspected complicity by Saudi Arabia in the attacks. Dan Christensen, *New FBI document shows active probe of support network for 9/11 hijackers in 2012* *Florida Bulldog* (Dec. 19, 2016), at

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<sup>1</sup> The record is unclear on whether the Times’s motion is being treated as a formal motion to intervene for the purpose of requesting the unsealing of records, but we will treat it as such here for ease of reference.

<https://www.floridabulldog.org/2016/12/new-documents-show-u-s-investigated-support-network-911-hijackers-in-2012> (last accessed July 16, 2024). Recognizing the intense public interest in records about this investigation and others, President Biden issued Executive Order 14,040, which specifically referenced the instant case and led to the declassification and publication of thousands of pages by the FBI. *See* FBI, 9/11 Attacks Investigation and Related Materials, at <https://vault.fbi.gov/9-11-attacks-investigation-and-related-materials> (last accessed July 16, 2024). Intervenors have reported extensively on the contents of those files, more so than most in the news media.

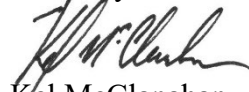
As a representative sample of Intervenors' coverage and analysis, one need only consider two stories:

- Robbyn Swan, *Subjects of FBI's 9/11 Saudi probe linked to calls to al Qaeda hub, documents reveal* Florida Bulldog (Sept. 10, 2022), at <https://www.floridabulldog.org/2022/09/subjects-fbis-9-11-saudi-probe-linked-calls-to-al-qaeda> (last accessed July 16, 2024) (exposing the earliest contact between two future hijackers based in California and Al Qaeda's communications hub in Yemen and demonstrating that the National Security Agency and Central Intelligence Agency, which were monitoring the hub, should have identified the contact and passed it along to the FBI, but did not).
- Robbyn Swan, *Saudi prince's cell phone linked to 9/11 hijackers* Florida Bulldog (June 23, 2024), at <https://www.floridabulldog.org/2024/06/saudi-princes-cell-phone-linked-to-9-11-hijackers> (last accessed July 16, 2024) (revealing previously unknown contacts between members of the Saudi royal family and two future hijackers).

These stories are simply examples of the type of work generated by Intervenors, much of it available on the *Florida Bulldog* site at <https://www.floridabulldog.org/category/911>. We respectfully ask the Court to grant this Motion so that Intervenors can provide the Court with whatever assistance it needs to fully evaluate the merits of the arguments being made to support continued secrecy in one of the most significant national cases of the 21<sup>st</sup> Century.

Thank you for your consideration of this request.

Sincerely,



Kel McClanahan

Counsel for Proposed Intervenors